



T2315-904733

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS & INTERFERENCES**

Appellants: Eugene P. GOLDBERG ET AL. :  
Serial No.: 08/141,017 : Art Unit: 1617  
Filed: October 26, 1993 : Examiner: Edward J. Webman  
For: METHOD OF AND COMPOSITION FOR :  
PREVENTING TISSUE DAMAGE

**PETITION TO WITHDRAW NOTICE OF ABANDONMENT**

**Mail Stop Petition**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RECEIVED**

JUL 02 2003

Sir:

**OFFICE OF PETITIONS**

Applicant believes that the Notice of Abandonment was issued in error due to the failure of the Patent Office to process and enter Status Inquiries and Change of Address into appropriate file. Applicant hereby request reconsideration and withdrawal of the Notice of abandonment of the above-identified patent application.

The Patent Office issued a Notice of Abandonment (Paper No. 27) due to Applicant's failure to respond to the Office letter mailed August 7, 2002.

Attached are copies of the papers filed and copies of the return postcards with the PTO dates of receipt stamped thereon. Applicant filed Status Inquiries on April 7, 1999 (Exhibit A), May 26, 2000 (Exhibit B), September 21, 2000 (Exhibit C) and November 20, 2001 (Exhibit D). A Change of Address was also filed on November 20, 2001 (Exhibit D). On May 28, 2003, because the Patent Office did not respond to the applicant's inquiries, applicant called the Board of Patent Appeals and Interferences where the application was being reviewed by the Board, and learned from the Clerk, that the application was abandoned due to failure to respond to the Office letter and, the case was probably sitting in the warehouse. During the second week of June, in telephone conversations between Examiner Webman and my secretary, Mary Allgood, it was noted by the Examiner that the Status Inquiries and the Change of Address correspondence filed were never matched up with the application file.

After investigating the facts, it is clear that the subject application was unavoidably abandoned. Applicant respectfully solicits a favorable decision of Revival of the subject-application.

Respectfully submitted,

MILES & STOCKBRIDGE



Dennis P. Clarke  
Registration No. 22,549

Filed: June 30, 2003

DPC/maa

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Suite 500  
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Docket No. 4733

PLEASE STAMP & RETURN

PAPERS RECEIVED ON April 7, 1999 A.U. 1615

APPLICANT Goldberg et al- SN 08/141,017

TITLE OR MARK Method of and Composition for Preventing....

APPLICATION (PAT or TM) SHEETS DRAWINGS \_\_\_\_\_

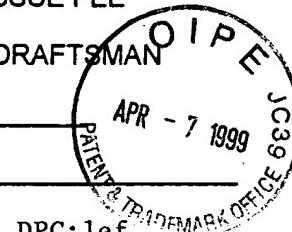
\_\_\_\_\_ PAGES SPECIFICATION \_\_\_\_\_ CLAIMS  OATH  DECL.

ASSIGNMENT  PRIORITY CLAIM  BASE ISSUE FEE

AMENDMENT DUE \_\_\_\_\_  LETTER TO DRAFTSMAN

APPEAL - NOTICE/BRIEF  CHECK FOR \$ \_\_\_\_\_

OTHER: Status Inquiry



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PREVENTING TISSUE DAMAGE  
Art Unit : 1615  
Examiner : Edward J. Webman

**STATUS INQUIRY**

Hon. Commissioner of Patents & Trademarks  
Washington, D. C. 20231

Sir:

Please advise the undersigned as to the status of the above-captioned application inasmuch as the Brief on Appeal was filed on June 9, 1997, and the Reply Brief and Request for Oral Hearing were submitted on December 8, 1997.

Respectfully submitted,

KERKAM, STOWELL,  
ONDRAKCI & CLARKE, P.C.



Dennis P. Clarke  
Registration No. 22,549

DPC:lef

Two Skyline Place, Suite 600  
5203 Leesburg Pike  
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Telephone: (703) 998-3302

(4) Eugene  
Inventor GOLDBERG et al, Ser. No. 08/141,017 Docket No. T2315-904733  
Title: METHOD OF AND COMPOSITION FOR PREVENTING TISSUE DAMAGE

This will acknowledge receipt in the Patent Office of the following:

- New Patent Application \_\_\_\_\_ pages of Specification \_\_\_\_\_ claims  
 Request for Patent Application under  37CFR 1.60  37CFR 1.62  
 Combined Declaration and Power of Attorney  
 Verified Statement Claiming Small Entity  
 Associate Power of Attorney  
 Claim for Priority  
 Priority Document  
 Assignment  
 Drawings \_\_\_\_\_ sheets  
 Information Disclosure Stmt  
 Information Disclosure Refs.  
 Terminal Disclaimer  
 Other STATUS INQUIRY (second)  
Date due \_\_\_\_\_ Date filed 5/26/00 Initials DPC/maa

- Amendment  
 Petition for Ext. of Time  
 Issue Fee Transmittal  
 Appeal Brief (3 copies)  
 Req. Certificate of Correction  
 Trademark Application  
 Section 8 & 15 Affidavit  
 Check \_\_\_\_\_



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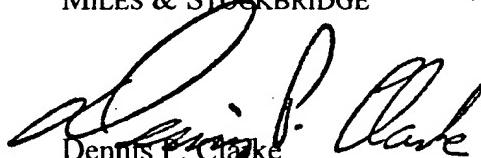
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for Oral Hearing were submitted on December 8, 1997.

This is the second Status Inquiry filed by appellants herein; the first having been filed  
on April 7, 1999. No response to that inquiry was received.

Respectfully submitted,

MILES & STOCKBRIDGE



Dennis P. Clarke  
Registration No. 22,549

DPC/maa

1751 Pinnacle Drive  
Suite 500  
McLean, Virginia 22102-3833  
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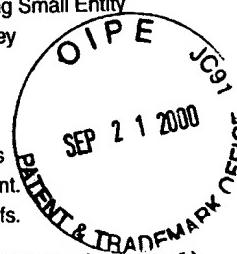
2411 T2315-

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 Check \_\_\_\_\_

Date due \_\_\_\_\_ Date filed 9/21/00 Initials DPC/maa



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This is the third Status Inquiry filed by appellants herein; the first having been filed on April 7, 1999 and the second on May 26, 2000. No response to either of those inquiries was received.

Respectfully submitted,

MILES & STOCKBRIDGE



Dennis P. Clarke  
Registration No. 22,549

Filed: September 21, 2000

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Eugene P.

T2315-

Inventor GOLDBERG et al. Ser. No. 08/141,017 Docket No. 904733

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